

5-003 Provider Standards for License-Exempt Family Child Care Homes: If a provider is to become a license-exempt vendor to care for three or fewer children and chooses not to become registered as a Family Child Care Home, the provider must complete Form DSS-0351, 'Approved Family Day Care Self-Certification Checklist.' This form (and Form MILTC-9) may be completed by mail or during a home or office visit.

The local office may make a home visit, announced or unannounced, to determine compliance with these requirements.

Each provider of license-exempt family child care must:

1. Be at least 19 years old or meet the requirements at 392 NAC 5-001.02B;
2. Provide care for a maximum of 6 children. The provider's children, grandchildren, or foster children count in the maximum if they are age 12 or younger. A child(ren) age 13 or older is included in the maximum if the provider is being paid to provide child care for the child, either from a private payer or the Department. The Department will pay for a maximum of:
 - a. Three children from different families; or
In addition, the provider may have a maximum of 3 of his/her own children, grandchildren, or foster children age 12 or younger in the home. Care for these children will not be paid.
 - b. Six children from one family. The provider must not have other children, grandchildren, or foster children age 12 or younger.
 - c. Included in the limits of 2a and b are a maximum of 2 infants (children 17 months or younger), including any infant children of the provider.
3. Not engage in or have an ongoing history of, nor have other household members who engage in or have an ongoing history of, behaviors which are harmful to or which may endanger the health or morals of children. It is understood that the Department, in reviewing an application where there is a conviction for, an admission of, or substantial evidence of crimes against child(ren), crimes involving intentional bodily harm, crimes involving the illegal use of controlled substances, or crimes involving moral turpitude by the caregiver or any other household member, will not approve or allow an approval to remain in effect if these circumstances have current and direct bearing on the provider's ability to provide care and/or show that children would be placed at risk.

The Department will conduct background checks on the provider and household members with the Child Abuse and Neglect Central Register and the Adult Protective Services Central Registry. The Department may request background information on the provider or household members from law enforcement or criminal justice agencies. The provider will, if requested, provide written permission for the Department to request criminal history information and the name(s) by which s/he and members of the household have been known.

4. Demonstrate the physical, mental, and emotional capacity to provide care for children. A statement from a medical professional may be requested if there is reasonable cause to question the provider's capacity to provide care;
5. Not have employment which interferes with providing care for children;
6. Ensure children will always be supervised;
7. Arrange with another person, age 16 or older, to substitute for the caregiver in an emergency;
8. Notify parents/guardians of child(ren) in care when care will/has been provided by a substitute caregiver;
9. Discuss with the parent/guardian hours of care, care for ill children (if provided), disciplinary practices, meals, snacks, napping schedules, and toilet training practices (if applicable) before care is provided;
10. During the hours of operation, the home must be open to announced and unannounced visits by parents of all children for whom care is being provided. Parents must always have access to their children at all times their children are in care;
11. Have an operable telephone available for use within the home;
12. Maintain a record of the parent/guardian's work and home phone numbers and the phone number of the child(ren)'s physician;
13. Keep emergency numbers within easy access near the telephone;
14. In the case of a medical emergency, call 911 or the local medical emergency phone number;
15. Keep areas and equipment where care is provided clean and in good repair;
16. Have operable utilities, i.e., electricity, heat, water;
17. Serve nutritious meals and snacks to children in care;
18. Keep cooking and eating areas and equipment clean and in good repair;
19. Store perishable foods served to child care children in covered containers;
20. Have a sufficient number of safe, age-appropriate play materials available for the child care child(ren)'s use;
21. Have first aid supplies available, but inaccessible to children. Supplies are to include fever thermometer, soap, band-aids, gauze, tape, and scissors;
22. Dispense prescription and non-prescription medications only with prior written permission and written instructions from the child's parent/guardian;
23. Keep firearms, medications and poisons, furnace and water heater inaccessible to children;
24. Develop and practice an evacuation plan with the children for use in emergencies such as fire or tornado. A plan must also be developed to handle medical emergencies;
25. Have available at least 35 square feet of indoor child care space for each child in care;
26. Provide and use clean and comfortable napping and sleeping arrangements for the children in care;
27. Maintain the home, including toilet facilities, clean and in good repair;
28. Maintain the home to be free from fire hazards such as exposed wiring, storage of combustibles near a fire source (furnace, water heater, stove), and blocked exits;

29. Develop an emergency procedure to reach children should they become locked into an area of the home which can be locked;
30. Maintain proper vaccinations for household pets susceptible to rabies;
31. Maintain an outdoor play area free of safety hazards;
32. When transporting children, use age appropriate restraints which comply with state law; and
33. During evening care, have children age 7 or younger sleep only on a floor level where an adult is present.